

Abstract

Legal Protection of Works of Copyright on Social Networks

This thesis is focused on the legal aspects of the works of copyright protection on social networks. The thesis in its introduction defines the term of social network, in particular as the service of the internet service provider, and furthermore it deals with the nature of the contractual relation between the social network service provider and its user.

The thesis deals with the definition of ‘work of copyright’ in relation to social networks, while the rights of the author to his or her work of copyright published on the social network are defined.

Furthermore, the thesis deals with the possibility of rightful use of the works of copyright published on the social networks by other entities than authors of such works. The thesis defines the scope of the licences provided to the social network service provider, another users of the social network and the to another non-user entities. In relation to this the thesis is based on the terms and conditions of the currently largest social networks (in the first place it is Facebook, followed by Instagram and YouTube) that are establishing content of the contractual relationship between the social network and its user.

In its final part the thesis deals with the legal aspects of an unauthorised use of the works of copyright on social networks. It focuses mainly on the limits of the liability of the social network users for making the content accessible to the public without appropriate authorisation as well as on the aspect of the liabilities of the social network service provider. Furthermore, the instruments used by the social networks in the fight against the copyright infringing content are described.

The thesis is based on the instruments of the Czech Republic legal system that are used as the legal framework for the whole subject while the instruments of American common law system are described in order to provide better understanding of all aspects of the works of copyright protection. With respect to the international nature of the social networks and for the purpose of further argumentation the thesis is based on the whole range of the European and American court decisions as well.